

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:03-CR-273

v.

HON. ROBERT HOLMES BELL

ANTHONY JEROME POTTS,

Defendant.

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**MEMORANDUM OPINION AND ORDER**

This matter is before the Court on Defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #41). Based on a review of Defendant's motion, the Sentence Modification Report, submissions by counsel for both parties, and the original criminal file, the Court has determined that the motion should be denied as follows:

Defendant was sentenced on an Indictment charging Possession with Intent to Distribute and to Distribute More than 5 Grams of Cocaine Base in violation of 21 U.S.C. §841(a)(1) and (b)(1)(B)(iii). Defendant was sentenced as a career offender within the meaning of U.S.S.G. § 4B1.1(a). As such, defendant is ineligible for a reduction in sentence. Accordingly,

Defendant's Motion for Modification or Reduction of Sentence (docket #41) is  
**DENIED.**

DATED: September 17, 2010

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE